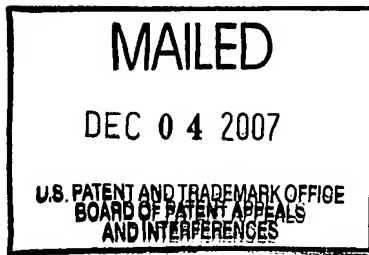


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte CARLOS DANGELO

Application 10/762,666

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on November 30, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

An examination of the Image File Wrapper (IFW) reveals that an Information Disclosure Statement was filed on September 10, 2007. It is not apparent from the record whether the examiner considered the statement

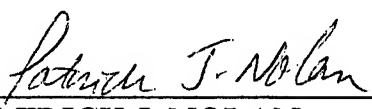
submitted or notified appellant regarding why his submission did not meet the criteria set forth in 37 CFR §§1.97 and 1.98. A communication notifying appellant of the Primary Examiner's decision is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for consideration of the IDS filed September 10, 2007, and appropriate notification to appellant regarding the Primary Examiner's decision; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
Deputy Chief Appeal Administrator
(571) 272-9797

PJN:psb

Morgan, Lewis & Bockius, LLP
2 Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306